

From: Rachel Seelig
Sent: Wednesday, March 15, 2023 9:25 AM
To: Martin LaLonde; Barbara Rachelson; Ela Chapin
Cc: Laura Bierley; Sara Kagle; Peninah Hodin
Subject: [External] VLA follow up on coercive control bill

Good morning,

As promised in my testimony before the break, I followed up with our Victim's Rights Project regarding the coercive control bill. They spent a long time talking through this, and shared the following with me, to share with you:

It is complex and we have strong feelings given our collective litigation experience.

We can not support this language, nor do we have suggestions for how to address our concerns. This language reflects the sophisticated understanding that those of us steeped in DV advocacy recognize. We do not disagree with the Network.

*However, this progressive definition is not commonly understood and stands to be weaponized. In a vacuum, without extensive training, the risks are too great. **Vermont is not ready to send people to jail or make them homeless/houseless based on proof of coercive control at a preponderance of the evidence standard.***

The judiciary itself is in crisis. The Judges are overwhelmed and Court time is at a premium. We are guessing that they would also be very concerned about this expansion of the definition, given that it requires afterhours resources, as well as litigation in the context of summary RFA proceedings.

One suggestion we do have is that this language might be much more useful now in the context of PR&R and PCC (Best Interests codified also in Title 15).

Thanks for your consideration,

Rachel

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